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OGC Has Reviewed

OLC 79-2363

9 August 1979

MEMORANDUM FOR: See Distribution

FROM :
Chief, Legislation Division, OLC

SUBJECT : H.R. 4572 -- The "Public Printing
Reorganization Act"

1. The "Public Printing Reorganization Act" would reorganize the Government Printing Office (GPO) as an independent establishment under a Board of Directors appointed by the President with the advice and consent of the Senate. The Bill would assign to the GPO the two major functions it has under current law: (1) distribution of public documents and (2) provision of public printing services.

2. The Bill's definition of "public document" (p. 2) excludes

... matter which, as determined by the
issuing Government entity --

(A) is required for official
administrative or operational
purposes only and is without
public interest or educational
value; or

(B) is classified or designated
under a statute of Executive Order
as requiring a specific degree of
protection against unauthorized
disclosure for reasons of national
defense or foreign policy

Consequently, the Bill's provisions requiring GPO distribution of all public documents would not interfere with the Agency's need for secrecy in executing its mission.

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3. The Bill's definition of "public printing services" (p. 3) includes any printing services furnished in whole or part at Government expense, which includes all printing done by CIA. The Bill would mandate that the GPO "develop and implement a central, comprehensive, and unified policy for the provision of public printing services ..." (p. 4) and that "all public printing services for the Government shall be provided through the Government Printing Office in accordance with regulations prescribed by the Board," except "when the interest of the Government so requires, public printing services may be provided other than through the Government Printing Office for a period of limited duration" (p. 16). The Bill makes clear that the judge of Government interest in non-GPO printing is the GPO Public Printer, with an appeal to the Chairman of the GPO Board. Thus, the continued operation of CIA's printing facilities would be at the mercy of the GPO if the provisions of H.R. 4572 concerning public printing services applied to the Agency. Under current law, all printing must be done by GPO unless the Joint Committee of the Congress on Printing approves otherwise, 44 U.S.C. §501.

4. Section 8 of The CIA Act of 1949, 50 U.S.C. §403j(a), provides that "notwithstanding any other provisions of law, sums made available to the Agency by appropriation or otherwise may be expended for purposes necessary to carry out its functions including -- ... purchase or rental and operation of photographic, reproduction, cryptographic, duplication, and printing machines, equipment and devices" We believe it may be advisable to take the position that due to the "notwithstanding" phrase, Section 8 would negate any contrary provisions in H.R. 4572 concerning public printing services, and thus Section 8 would continue to provide statutory authority for the Agency to run its printing operations.

5. The Bill would also require the DCI to designate an Agency Information and Resources Manager to coordinate Agency printing services and to serve as liaison to the GPO. The Manager would report directly to the DCI and would be under the supervision of no one else.

6. Please review the Bill and provide your comments to of my staff by Wednesday, 15 August. Representative Augustus F. Hawkins (D., Calif.), Chairman of the Subcommittee on Printing of the House Committee on Administration, has requested the Agency's views for inclusion in the Subcommittee's Hearing Record on the Bill.

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96TH CONGRESS
1ST SESSION

H. R. 4572

To amend title 44, United States Code, to provide for improved administration of public printing services and distribution of public documents.

IN THE HOUSE OF REPRESENTATIVES

JUNE 2, 1979

Mr. THOMPSON (for himself, Mr. HAWKINS, Mr. BRADEMAS, Mr. ANNUNZIO, Mr. GAYDOS, Mr. JONES of Tennessee, Mr. MOLLOHAN, Mr. VAN DEERLIN, Mr. MINISH, Mr. DAVIS of South Carolina, Mr. ROSE, Mr. JOHN L. BURTON, Mr. PEYSER, Mr. RATCHFORD, Mr. FAZIO, Mr. FRENZEL, Mr. GINGRICH, and Mr. LEWIS) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend title 44, United States Code, to provide for improved administration of public printing services and distribution of public documents.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Public Printing Reorgani-
4 zation Act of 1979".

5 SEC. 2. Title 44, United States Code, is amended by
6 striking out chapters 1 through 13 and inserting in lieu there-
7 of the following:

1 **"CHAPTER 1—GENERAL PROVISIONS**

 "Sec.

 "101. Definitions for chapters 1 through 11.

2 **"§ 101. Definitions for chapters 1 through 11**

3 "As used in chapters 1 through 11—

4 "(1) the term 'Member of Congress' means a Sen-
5 ator or Representative in, or a Delegate or Resident
6 Commissioner to, the Congress;

7 "(2) the term 'printing' means any process for the
8 production of multiple copies of printed matter, and
9 such term includes typography, lithography, electronic
10 photocomposition, microform, and any other such proc-
11 ess using mechanical or electronic means, but such
12 term does not include production of printed matter by
13 typewriter, office photocopying machine, or other
14 method capable only of limited production of such
15 matter;

16 "(3) the term 'public document' means a docu-
17 ment, publication, form, machine-readable data file, mi-
18 croform, audio or visual presentation, or other similar
19 matter, reproduced for public use, wholly or partially
20 at Government expense, by printing or other means,
21 but such term does not include any such matter which,
22 as determined by the issuing Government entity—

“(A) is required for official administrative or operational purposes only and is without public interest or educational value; or

“(B) is classified or designated under a statute or Executive order as requiring a specific degree of protection against unauthorized disclosure for reasons of national defense or foreign policy; and

“(4) the term ‘public printing services’ means printing, binding, and related services (including procurement of printing equipment and operation of printing facilities) furnished in whole or in part at Government expense.

“CHAPTER 3—GOVERNMENT PRINTING OFFICE

“Sec.

“301. Creation of Government Printing Office.

“302. Establishment and duties of Board of Directors.

“303. Voting members of Board of Directors.

“304. Nonvoting members of Board of Directors.

“305. Procedures of Board of Directors.

“306. Pay of Board of Directors.

“307. Regulations of Board of Directors.

“308. Staff of Board of Directors.

“309. Labor-management relations.

“310. Government Printing Office revolving fund.

“311. Accounting for Government Printing Office.

“312. Audits of Government Printing Office.

“313. Procurement of property and services.

“314. Transmittal of copies of reports, budget estimates, and budget requests to the Congress.

§ 301. Creation of Government Printing Office

“There is hereby created an independent establishment of the Government for the purpose of providing for public

1 printing services and distribution of public documents. This
2 establishment shall be known as the Government Printing
3 Office.

4 **"§ 302. Establishment and duties of Board of Directors**

5 “(a) There shall be within and at the head of the Gov-
6 ernment Printing Office a Board of Directors (hereinafter in
7 this title referred to as the ‘Board’) which shall—

8 “(1) be composed of seven voting members and
9 three nonvoting members; and

10 “(2) be responsible for policy direction of the Gov-
11 ernment Printing Office.

12 “(b) The Board shall—

13 “(1) develop and implement a central, comprehen-
14 sive, and unified policy for the provision of public
15 printing services and the distribution of public docu-
16 ments;

17 “(2) provide supervision, coordination, and policy
18 direction of the organization, budget, operation, and
19 other matters concerning the Government Printing
20 Office;

21 “(3) prescribe procedures for labor-management
22 relations in the Government Printing Office, including
23 procedures for collective bargaining, arbitration, and
24 factfinding;

1 “(4) appoint the Public Printer and the Superin-
2 tendent of Documents, and ensure that the public
3 printing services provided by the Public Printer under
4 section 501 of this title and the distribution of public
5 documents provided by the Superintendent of Docu-
6 ments under section 701 of this title are made availa-
7 ble in a manner that is efficient, cost effective, and re-
8 sponsive to the needs of the Government and the
9 public;

10 “(5) prescribe bibliographic and indexing stand-
11 ards for public documents;

12 “(6) provide for such printing services and distri-
13 bution of publications as may be requested by the
14 United States Capitol Historical Society, the Supreme
15 Court Historical Society, and the White House His-
16 torical Society;

17 “(7) provide for public sale of duplicate reproduci-
18 bles from which public documents are printed;

19 “(8) provide for furnishing ink, glue, and other
20 supplies manufactured by the Government Printing
21 Office to other Government entities; and

22 “(9) fix standards for paper and other materials
23 used in the production of public documents.

1 **"§ 303. Voting members of Board of Directors**

2 “(a) The voting members of the Board shall be appoint-
3 ed by the President, by and with the advice and consent of
4 the Senate, from among individuals who—

5 “(1) are specially qualified to serve on the Board
6 by ability, background, training, and experience; and

7 “(2) at the time of appointment are not elected or
8 appointed officers or employees in the United States
9 Government.

10 “(b) Any voting member who, while serving on the
11 Board, becomes an officer or employee referred to in subsec-
12 tion (a)(2) of this section shall not continue as a member of
13 the Board.

14 “(c) One of the voting members shall be designated by
15 the President as Chairman at the time of appointment.

16 “(d)(1) Of the voting members, one and only one shall
17 be chosen from each of the following sources: (A) the printing
18 and reproduction industries, (B) organized labor, (C) the li-
19 brary community, and (D) the information industries.

20 “(2) The Chairman and two other voting members shall
21 not be chosen from the sources named in paragraph (1) of this
22 subsection.

23 “(e)(1) Except as provided in paragraphs (2) and (3) of
24 this subsection, the voting members of the Board shall—

25 “(A) be appointed for terms of three years;

1 “(B) be eligible for reappointment;

2 “(C) serve intermittently as required to carry out
3 the functions of the Board;

4 “(D) be paid on a daily, when-actually-employed
5 basis; and

6 “(E) not engage in any business, vocation, or em-
7 ployment which is likely to create a conflict of interest
8 with their duties as members of the Board.

9 “(2) The Chairman shall—

10 “(A) be appointed for a term of five years;

11 “(B) not serve more than one complete term as
12 Chairman; and

13 “(C) not engage in any other business, vocation,
14 or employment while serving as Chairman.

15 “(3) Of the voting members first appointed, other than
16 the Chairman—

17 “(A) two shall be appointed for terms ending on
18 June 30, 1982;

19 “(B) two shall be appointed for terms ending on
20 June 30, 1983; and

21 “(C) two shall be appointed for terms ending on
22 June 30, 1984;

23 as specified by the President at the time of appointment.

24 “(f) Any voting member appointed to fill a vacancy on
25 the Board occurring prior to the expiration of the term for

1 which his predecessor was appointed shall be appointed only
2 for the remainder of such term. A voting member may serve
3 on the Board after the expiration of his term until his succes-
4 sor has taken office.

5 “(g) A vacancy on the Board shall be filled in the same
6 manner in which the original appointment was made.

7 **“§ 304. Nonvoting members of Board of Directors**

8 “(a) The nonvoting members of the Board shall be—

9 “(1) the chairman of the Committee on House
10 Administration of the House of Representatives or his
11 delegate;

12 “(2) the chairman of the Committee on Rules and
13 Administration of the Senate or his delegate; and

14 “(3) the Director of the Office of Management and
15 Budget or his delegate.

16 “(b) As used in this section, the term ‘delegate’
17 means—

18 “(1) with respect to subsection (a)(1) of this sec-
19 tion, a Representative in, or Delegate or Resident
20 Commissioner to, the Congress, or a full-time officer or
21 employee of the House of Representatives;

22 “(2) with respect to subsection (a)(2) of this sec-
23 tion, a Senator or a full-time officer or employee of the
24 Senate; and

1 “(3) with respect to subsection (a)(3) of this sec-
2 tion, a full-time officer or employee of the Office of
3 Management and Budget.

4 **“§ 305. Procedures of Board of Directors**

5 “(a)(1) The Chairman shall preside at all sessions of the
6 Board and three voting members of the Board shall consti-
7 tute a quorum for the transaction of routine business, but
8 final decisions of the Board shall be determined by an affirm-
9 ative vote of four voting members.

10 “(2) The Board may designate any voting member as
11 Acting Chairman to act temporarily in the place of the Chair-
12 man during his absence.

13 “(b) The Board shall meet monthly, and at other times
14 at the call of the Chairman or at the call of a majority of the
15 voting members.

16 “(c) The Board is authorized to adopt an official seal for
17 the Government Printing Office which shall be judicially no-
18 ticed.

19 **“§ 306. Pay of Board of Directors**

20 “(a) Except as provided in subsections (b) and (c) of this
21 section, members of the Board shall each be entitled to re-
22 ceive the daily equivalent of the annual rate of basic pay
23 provided for in level III of the Executive Schedule under
24 section 5314 of title 5, United States Code, for each day

1 (including traveltime) during which they are engaged in the
2 actual performance of duties vested in the Board.

3 “(b) The Chairman shall be paid at the rate provided for
4 level II of the Executive Schedule under section 5313 of title
5 5, United States Code.

6 “(c) Nonvoting members of the Board shall receive no
7 additional pay on account of their service on the Board.

8 **“§ 307. Regulations of Board of Directors**

9 “(a)(1) The Board may prescribe such regulations as
10 may be necessary to carry out its duties under this title.

11 “(2) Any regulation prescribed by the Board shall be
12 submitted to the Committee on House Administration of the
13 House of Representatives and the Committee on Rules and
14 Administration of the Senate, and shall take effect at the end
15 of ten legislative days after the date of such submission,
16 unless, during such ten-day period, either such committee
17 agrees to a resolution disapproving such regulation.

18 “(b) As used in this section, the term ‘legislative day’
19 means a calendar day on which both Houses of Congress are
20 in session.

21 **“§ 308. Staff of Board of Directors**

22 “(a)(1) With the approval of the Board, the Chairman
23 may appoint and fix the pay of such staff personnel as may be
24 necessary to carry out the functions of the Board.

1 “(2) Such personnel may be appointed without regard to
2 the provisions of title 5, United States Code, governing ap-
3 pointments in the competitive service and may be paid with-
4 out regard to the provisions of chapter 51 and subchapter III
5 of chapter 53 of such title relating to classification and Gen-
6 eral Schedule pay rates, except that no individual so appoint-
7 ed may receive pay in excess of the maximum annual rate of
8 basic pay payable for grade GS-18 of the General Schedule.

9 “(b) With the approval of the Board, the Chairman may
10 procure temporary and intermittent services to the same
11 extent as authorized under section 3109(b) of title 5, United
12 States Code, but at rates for individuals not to exceed the
13 daily equivalent of the maximum annual rate of basic pay
14 payable for grade GS-18 of the General Schedule.

15 “(c) One of the staff personnel described in subsection
16 (a) shall—

17 “(1) be responsible to the Board for administra-
18 tive, support, and related services common to all units
19 of the Government Printing Office; and

20 “(2) have authority to employ such persons as
21 may be necessary to carry out the functions described
22 in paragraph (1) of this subsection.

23 “(d) The employees referred to in subsection (c)(2) of
24 this section may include special police officers for the protec-

1 tion of the Government Printing Office. The Board may au-
2 thorize such officers to—

3 “(1) bear and use firearms in the performance of
4 their duties;

5 “(2) make arrests for violations of laws of the
6 United States, the several States, and the District of
7 Columbia; and

8 “(3) enforce such regulations as may be pre-
9 scribed by the Board.

10 The jurisdiction of special police officers in premises occupied
11 by or under the control of the Government Printing Office
12 and adjacent areas shall be concurrent with the jurisdiction of
13 the law enforcement agencies where the premises are
14 located.

15 **“§ 309. Labor-management relations**

16 “Labor-management relations for the Government
17 Printing Office shall be—

18 “(1) in accordance with chapter 71 of title 5,
19 United States Code; and

20 “(2) based on principles of collective bargaining
21 over wages, hours, and working conditions contained in
22 Federal law relating to employees in the private
23 sector;

24 except that employees of the Government Printing Office
25 shall not have the right to strike. Unresolved collective bar-

1 gaining matters shall be referred to binding arbitration when-
2 ever an impasse occurs.

3 **"§310. Government Printing Office revolving fund**

4 “(a) There is hereby established in the Treasury the
5 Government Printing Office revolving fund (hereinafter in
6 this section referred to as the ‘fund’) which shall be available
7 for the operation and maintenance of the Government Print-
8 ing Office without fiscal year limitation in such amounts as
9 may be specified from time to time in appropriation Acts.

10 “(b) The fund shall be—

11 “(1) reimbursed for the cost of all supplies and
12 services furnished by the Government Printing Office
13 at rates that include—

14 “(A) charges for overhead and related ex-
15 penses; and

16 “(B) depreciation of plant and building ap-
17 purtenances (other than buildings and land) and
18 equipment;

19 “(2) credited with all receipts of the Government
20 Printing Office from sales or exchanges of property, in-
21 cluding receipts from sales of public documents, waste,
22 condemned, and surplus property, and amounts re-
23 ceived for loss of or damage to property; and

24 “(3) charged with payment into miscellaneous re-
25 cepts of the Treasury of that part of the receipts from

1 the sales of public documents required to be so deposit-
2 ed by section 706 of this title.

3 “(c) The Public Printer and the Superintendent of Doc-
4 uments shall prepare and submit to the Board an annual busi-
5 ness-type budget program for the functions financed by the
6 fund. Such budget shall be considered and enacted in the
7 manner prescribed by section 104 of the Government Corpo-
8 ration Control Act (31 U.S.C. 849).

9 **“§ 311. Accounting for Government Printing Office**

10 “The Board shall provide that a system of accounts
11 shall be maintained on the accrual method for the Govern-
12 ment Printing Office and that necessary financial reports
13 shall be prepared on the basis of such accounts.

14 **“§ 312. Audits of Government Printing Office**

15 “The Comptroller General shall audit the activities of
16 the Government Printing Office during fiscal year 1982 and
17 at least once every three years thereafter, and shall furnish
18 reports of such audits to the Congress and the Board. For
19 purposes of such audits, the Comptroller General shall have
20 such access to the records, files, personnel, and facilities of
21 the Government Printing Office as he considers necessary.

22 **“§ 313. Procurement of property and services**

23 “Property and services may be obtained for the Govern-
24 ment Printing Office by contract or otherwise without regard
25 to the provisions of the Federal Property and Administrative

1 Services Act of 1949 relating to procurement of property and
2 services.

3 **"§314. Transmittal of copies of reports, budget estimates,**
4 **and requests to the Congress**

5 "Whenever the Board submits a report, budget esti-
6 mate, or budget request to the President or the Office of
7 Management and Budget, it shall concurrently transmit a
8 copy of such report, estimate, or request to the Congress.

9 **"CHAPTER 5—PUBLIC PRINTING SERVICES**

"Sec.

"501. Public Printer.

"502. Use of Government Printing Office for public printing services.

"503. Permanent public documents.

"504. Material reproduced at Government expense.

10 **"§501. Public Printer**

11 "(a) There shall be within the Government Printing
12 Office a Public Printer who shall be appointed by the Board
13 from among individuals with demonstrated professional back-
14 ground and experience in management of printing or similar
15 operations. The Public Printer shall—

16 "(1) be responsible for the provision of public
17 printing services in the Government Printing Office;

18 "(2) report to, and be under the general supervi-
19 sion of, the Board; and

20 "(3) carry out the policies of the Board.

21 "(b) The Public Printer shall be paid at the annual rate
22 of basic pay provided for in level IV of the Executive Sched-

1 “(c) The Public Printer shall have authority to employ
2 such persons as may be necessary to carry out his functions
3 in the Government Printing Office.

4 “(d) The Public Printer and any employee under subsec-
5 tion (c) of this section designated in writing by the Public
6 Printer may administer any oath or affirmation required by
7 law in connection with the provision of public printing serv-
8 ices under subsection (a) of this section.

9 **“§ 502. Use of Government Printing Office for public**
10 **printing services**

11 “(a) Except as provided in section 901 of this title and
12 in subsection (b) of this section, all public printing services for
13 the Government shall be provided through the Government
14 Printing Office in accordance with regulations prescribed by
15 the Board.

16 “(b)(1) The regulations referred to in subsection (a) of
17 this section shall provide that—

18 “(A) when the interest of the Government so re-
19 quires, public printing services may be provided other
20 than through the Government Printing Office for a
21 period of limited duration; and

22 “(B) when a private person agrees to bear all
23 costs of publishing and distribution (including distribu-
24 tion to depository libraries) public printing services
25 may be provided by such person;

1 upon written application of the head of the department,
2 agency, or entity involved or his designee to the Public
3 Printer.

4 “(2) In the case of a denial of an application made under
5 this subsection, the Public Printer shall state in writing the
6 reasons for such denial not later than the third business day
7 after the date on which the application is made. A denial of
8 an application under the preceding sentence may be appealed
9 to the Chairman of the Board, whose decision shall be final.
10 Such an appeal shall be filed with the Chairman not later
11 than ten days after the date of the denial involved. The
12 Chairman shall determine the appeal not later than the third
13 business day after the date on which it is filed.

14 **“§ 503. Permanent public documents**

15 “Public documents of a permanent nature furnished to
16 officers or employees of the United States for official use
17 shall bear the legend ‘Property of the United States Govern-
18 ment,’ and shall be preserved as a part of the office or em-
19 ployment involved.

20 **“§ 504. Material reproduced at Government expense**

21 “Any material printed or otherwise reproduced wholly
22 or partially at Government expense shall bear the legend
23 ‘Produced at Government Expense.’

1 **"CHAPTER 7—DISTRIBUTION OF PUBLIC**
2 **DOCUMENTS**

"Sec.

"701. Superintendent of Documents.

"702. Use of Government Printing Office for distribution of public documents.

"703. Additional copies of public documents for sale.

"704. Prices for sales of public documents.

"705. Index and catalog of public documents.

"706. Amounts received from sales.

"707. Depository libraries.

3 **"§ 701. Superintendent of Documents**

4 "(a) There shall be within the Government Printing
5 Office a Superintendent of Documents who shall be appointed
6 by the Board from among qualified individuals. The Superin-
7 tendent of Documents shall—

8 "(1) be responsible for—

9 "(A) maintenance of a complete collection of
10 public documents;

11 "(B) distribution of public documents through
12 the Government Printing Office, including over-
13 sight, inspection, and support of depository librar-
14 ies; and

15 "(C) international exchange of public docu-
16 ments in cooperation with the Secretary of the
17 Smithsonian Institution and the Librarian of
18 Congress;

19 "(2) report to, and be under the general supervi-
20 sion of, the Board; and

21 "(3) carry out the policies of the Board.

1 “(b) The Superintendent of Documents shall be paid at
2 the annual rate of basic pay provided for in level IV of the
3 Executive Schedule under section 5315 of title 5, United
4 States Code.

5 “(c) The Superintendent of Documents shall have au-
6 thority to employ such persons as may be necessary to carry
7 out his functions in the Government Printing Office.

8 “(d) The Superintendent of Documents and any employ-
9 ee under subsection (c) of this section designated in writing
10 by the Superintendent of Documents may administer any
11 oath or affirmation required by law in connection with the
12 distribution of public documents under subsection (a) of this
13 section.

14 **“§702. Use of Government Printing Office for distribu-**
15 **tion of public documents**

16 “(a) Except as provided in section 901 of this title and
17 in subsection (b) of this section, distribution of public docu-
18 ments for the Government shall be through the Government
19 Printing Office in accordance with regulations prescribed by
20 the Board.

21 “(b)(1) The regulations referred to in subsection (a) of
22 this section shall provide that when the interest of the Gov-
23 ernment so requires distribution of public documents, other
24 than distribution required under section 707 of this title, may
25 be provided other than through the Government Printing

1 Office for periods of limited duration upon written application
2 by the head of the department, agency, or entity involved or
3 his designee to the Superintendent of Documents.

4 “(2) In the case of a denial of an application made under
5 this subsection, the Superintendent of Documents shall state
6 in writing the reasons for such denial not later than the third
7 business day after the date on which the application is made.
8 A denial of an application under the preceding sentence may
9 be appealed to the Chairman of the Board, whose decision
10 shall be final. Such an appeal shall be filed with the Chair-
11 man not later than ten days after the date of the denial in-
12 volved. The Chairman shall determine the appeal not later
13 than the third business day after the date on which it is filed.

14 **“§703. Additional copies of public documents for sale**

15 “In accordance with regulations prescribed by the
16 Board, the Public Printer shall prepare additional copies of
17 public documents for sale by the Superintendent of
18 Documents.

19 **“§704. Prices for sales of public documents**

20 “(a) Except as provided in subsection (b) of this section,
21 the price at which a public document is offered for sale shall
22 be not less than the cost of production and distribution of
23 such document in connection with such sale.

24 “(b)(1) A public document may be made available for
25 sale at a price below cost upon a determination by the Board

1 or the issuing Government entity that the public interest so
2 requires. In any instance of a sale pursuant to the preceding
3 sentence, the difference between the sale price and the cost
4 of production and distribution in connection with the sale of
5 the document involved shall be paid to the Superintendent of
6 Documents as determined by the Board.

7 “(2) Discounts may be allowed to dealers and quantity
8 purchasers.

9 **“§ 705. Index and catalog of public documents**

10 “(a) The Superintendent of Documents, under the direc-
11 tion of the Board, shall—

12 “(1) maintain a comprehensive cumulative index
13 of public documents; and

14 “(2) prepare and issue a periodic catalog, listing
15 public documents produced since the preceding period,
16 the prices of such documents, and the locations at
17 which such documents may be obtained.

18 “(b) Each department, agency, and entity of the Gov-
19 ernment shall furnish to the Superintendent of Documents
20 such information as may be required to carry out subsection
21 (a) of this section.

22 **“§ 706. Amounts received from sales**

23 “Amounts received by the Superintendent of Docu-
24 ments from sales of public documents shall be deposited in
25 the Government Printing Office revolving fund, except that

1 receipts from sales in excess of total costs of production and
2 distribution in connection with such sales shall be deposited
3 in the Treasury as miscellaneous receipts.

4 **"§ 707. Depository libraries**

5 “(a)(1) The Superintendent of Documents shall—

6 “(A) make available all public documents, includ-
7 ing public documents for the Congress, to depository li-
8 braries designated under this section; and

9 “(B) provide reference and referral services for
10 such libraries with respect to public documents.

11 “(2) Each depository library shall have the greatest
12 practicable degree of choice with respect to selection and de-
13 livery of public documents made available to such library
14 under paragraph (1)(A) of this subsection.

15 “(b) Each Member of Congress may designate two de-
16 pository libraries to be located in the congressional district (in
17 the case of a Representative in, or Delegate or Resident
18 Commissioner to, the Congress) or in the State (in the case of
19 a Senator) represented by such Member.

20 “(c) The head of each Government department, agency,
21 or entity may designate one library of such department,
22 agency, or entity as a depository library.

23 “(d) The following libraries are hereby designated as de-
24 pository libraries:

1 “(1) The libraries of the United States Military
2 Academy, the United States Naval Academy, the
3 United States Air Force Academy, the United States
4 Coast Guard Academy, and the United States Mer-
5 chant Marine Academy.

6 “(2) The library of the Supreme Court.

7 “(3) The Library of Congress.

8 “(4) The library of the National Archives.

9 “(5) The library of each land grant college.

10 “(6) The library of the highest appellate court of
11 each State, upon request of such court to the Superin-
12 tendent of Documents.

13 “(7) The library of each accredited law school,
14 upon request of such school made to the Superintend-
15 ent of Documents.

16 “(e) In addition to any library designated as a deposi-
17 tory under subsection (b), (c), or (d) of this section, the Board
18 may so designate not more than one hundred libraries upon
19 the recommendation of the Superintendent of Documents. In
20 making such a recommendation, the Superintendent of Docu-
21 ments shall take into consideration the advice of existing de-
22 pository libraries in the area involved.

23 “(f)(1) Each library designated as a depository library
24 under this section shall—

1 “(A) have the ability to provide adequate custody
2 and service for public documents; and

3 “(B) permit free public access to such documents.

4 “(2) Each library designated as a depository library
5 under subsection (b) or (e) of this section shall be located in
6 an area not adequately served by an existing depository
7 library.

8 “(g) As used in this section, the term ‘accredited law
9 school’ means a law school that is accredited by—

10 “(1) a nationally recognized accrediting agency or
11 association approved by the Commissioner of Educa-
12 tion for such purpose; or

13 “(2) the highest appellate court of the State in
14 which the law school is located.

15 **“CHAPTER 9—PUBLIC PRINTING SERVICES AND**
16 **DISTRIBUTION OF PUBLIC DOCUMENTS FOR**
17 **THE CONGRESS**

“Sec.

“901. Control of public printing services and distribution of public documents for the Congress.

“902. Use of and payment for public printing services and distribution of public documents for the Congress.

“903. Congressional Record.

“904. Congressional Directory.

“905. Miscellaneous congressional documents.

1 "§ 901. Control of public printing services and distribution
2 of public documents for the Congress

3 "(a) The Committee on House Administration of the
4 House of Representatives and the Committee on Rules and
5 Administration of the Senate shall have authority—

6 "(1) to control by regulation public printing serv-
7 ices and distribution of public documents relating to the
8 House of Representatives and the Senate, respectively;
9 and

10 "(2) to control by joint regulation public printing
11 services and distribution of public documents relating
12 to both Houses of Congress.

13 "(b) To the greatest extent practicable, public printing
14 services and distribution of public documents under subsec-
15 tion (a) of this section shall be through the Government
16 Printing Office.

17 "(c) The regulations referred to in subsection (a) of this
18 section shall provide for the preparation of public documents
19 specified in this chapter and such other public documents re-
20 lating to the Congress as may be necessary to meet the needs
21 of the Government.

1 "§ 902. Use of and payment for public printing services
2 and distribution of public documents for the
3 Congress

4 "Public printing services and distribution of public docu-
5 ments for the Congress shall be—

6 "(1) used for official purposes only; and

7 "(2) paid for from funds made available to the
8 Congress for such official purposes under appropriation
9 Acts.

10 "§ 903. Congressional Record

11 "(a) There shall be prepared by the Government Print-
12 ing Office in both daily and permanent form a Congressional
13 Record which shall include—

14 "(1) a substantially verbatim report of the public
15 proceedings of each House of Congress;

16 "(2) a daily index and appropriate cumulative in-
17 dexes, each arranged by subject and Member of Con-
18 gress involved;

19 "(3) a daily digest consisting of a brief résumé of
20 the congressional activities for the day involved; and

21 "(4) the forthcoming legislative program and con-
22 gressional committee meetings and hearings.

23 "(b) The Congressional Record shall be made available
24 for public sale in such form and in such manner as the Board
25 shall by regulation prescribe.

1 “(c) Copies of the daily edition of the Congressional
2 Record shall be available promptly on the day after the date
3 of the proceedings involved.

4 “(d) The Congressional Record shall be entitled to be
5 mailed at the same rates of postage at which a newspaper or
6 other periodical publication with a legitimate list of paid sub-
7 scribers is entitled to be mailed.

8 **“§ 904. Congressional Directory**

9 “There shall be prepared by the Government Printing
10 Office a Congressional Directory which shall be printed and
11 distributed as early as practicable during the first session of
12 each Congress.

13 **“§ 905. Miscellaneous congressional documents**

14 “There shall be prepared the following public docu-
15 ments relating to the Congress:

16 “(1) Senate and House of Representatives bills,
17 joint resolutions, concurrent resolutions, and simple
18 resolutions.

19 “(2) Acts of Congress.

20 “(3) Treaties.

21 “(4) Journals of the Senate and the House of
22 Representatives.

23 “(5) Senate Manual and Rules and Manual of the
24 House of Representatives.

25 “(6) United States Statutes at Large.

1 “(7) Franks and envelopes of Members of Con-
2 gress.

3 “(8) Biographical Directory of the American Con-
4 gress.

5 **“CHAPTER 11—INFORMATION RESOURCES**
6 **MANAGEMENT**

“Sec.

“1101. Information resources managers.

“1102. Requirement for certification of necessity.

7 **“§ 1101. Information resources managers**

8 “(a) The head of each department, agency, and entity of
9 the Government shall designate from among the officers and
10 employees of such entity an information resources manager
11 who shall be responsible—

12 “(1) in cooperation with the Public Printer, for
13 coordination of public printing services for such entity;

14 “(2) for certification to the Public Printer that any
15 public printing service requested for such entity is au-
16 thorized by law and is necessary to the public business;

17 “(3) in cooperation with the Superintendent of
18 Documents, for coordination of distribution of public
19 documents for such entity;

20 “(4) furnishing to the Superintendent of Docu-
21 ments such information as may be required to carry
22 out section 705(b) of this title; and

1 “(5) compliance of such entity with the require-
2 ments of this title.

3 “(b) Each information resources manager appointed
4 under subsection (a) of this section shall report directly to,
5 and be under the direction of the head of the department,
6 agency, or entity involved, and shall not be under the control
7 of, or subject to supervision by, any other person.

8 “§ 1102. Requirement for certification of necessity

9 “The Public Printer shall not provide public printing
10 services unless a certification has been made with respect to
11 such services in accordance with section 1101(a)(2) of this
12 title.”.

13 CONFORMING AMENDMENTS TO TITLE 44, UNITED STATES

14 CODE

15 SEC. 3. (a) The table of chapters of title 44, United
16 States Code, is amended by striking out the items relating to
17 chapters 1 through 19 and inserting in lieu thereof the fol-
18 lowing:

“Chapter	Sec.
“1. General Provisions.....	101
“3. Government Printing Office.....	301
“5. Public Printing Services.....	501
“7. Distribution of Public Documents.....	701
“9. Public Printing Services and Distribution of Public Documents for the Congress.....	901
“11. Information Resources Management.....	1101
“15. Federal Register and Code of Federal Regulations.....	1501”.

19 (b) Chapters 17 and 19 of title 44, United States Code,
20 are repealed.

1 AUTHORIZATION OF APPROPRIATIONS

2 SEC. 4. Appropriations to carry out the amendment to
3 title 44, United States Code, made by section 2 of the Act
4 shall be subject to annual authorization.

5 TRANSFER OF FUNCTIONS

6 SEC. 5. Except as otherwise provided in this Act, there
7 are hereby transferred to the Government Printing Office (as
8 created by section 301 of title 44, United States Code, as
9 enacted by section 2 of this Act) and the officers and compo-
10 nents of such office, all of the functions of the Government
11 Printing Office, as in existence on the day before the effective
12 date of section 2 of this Act.

13 GOVERNMENT PRINTING OFFICE REVOLVING FUND

14 SEC. 6. The assets, commitments, obligations, and out-
15 standing balances of the Government Printing Office revolv-
16 ing fund established by the Legislative Appropriation Act,
17 1954, are transferred to the Government Printing Office re-
18 volving fund established by section 311 of title 44, United
19 States Code, as enacted by section 2 of this Act.

20 COMPREHENSIVE REGULATIONS

21 SEC. 7. (a) Notwithstanding section 307 of title 44,
22 United States Code (as enacted by section 2 of this Act), the
23 Board of Directors of the Government Printing Office shall
24 prescribe comprehensive regulations relating to the functions
25 of such office under such title. Such comprehensive regula-

1 tions shall be submitted to the Committee on House Adminis-
2 tration of the House of Representatives and the Committee
3 on Rules and Administration of the Senate and shall take
4 effect at the end of ten legislative days after the date of such
5 submission, unless during such ten-day period, either House
6 of Congress agrees to a resolution disapproving such regula-
7 tions, but such regulations shall not take effect before Janu-
8 ary 1, 1981.

9 (b) As used in this section, the term "legislative day"
10 means a calendar day on which both Houses of Congress are
11 in session.

12 TRANSFER AND ALLOCATION OF PERSONNEL AND
13 APPROPRIATIONS

14 SEC. 8. Except as otherwise provided in this Act—

15 (1) the personnel employed in connection with the
16 functions of the Government Printing Office transferred
17 by this Act; and

18 (2) the assets, liabilities, contracts, property, rec-
19 ords, and unexpended balance of appropriations au-
20 thorizations, allocations, and other funds employed,
21 held, used, arising from, available to or to be made
22 available in connection with such functions;

23 are hereby transferred to the Board of Directors of the Gov-
24 ernment Printing Office for appropriate allocation. Unex-
25 pended funds transferred pursuant to this section shall be

1 used only for the purposes for which such funds were origi-
2 nally authorized and appropriated.

3 TECHNICAL AND CONFORMING AMENDMENTS

4 SEC. 9. (a)(1) Section 107 of title 1, United States
5 Code, is amended by striking out "on parchment" and all
6 that follows through "Printing" and inserting in lieu thereof
7 "in accordance with title 44".

8 (2) The first sentence of section 112 of title 1, United
9 States Code, is amended by inserting after "published" the
10 following: "in accordance with title 44".

11 (b) Section 5102(c)(9) of title 5, United States Code, is
12 amended by striking out "whose pay is fixed under section
13 305" and inserting in lieu thereof "under section 308(c)(2),
14 501(c), or 701(c)".

15 (c)(1) Section 4 of the Act of August 31, 1922, chapter
16 301 (7 U.S.C. 285), is amended by striking out "without
17 regard to section 501 of" and inserting in lieu thereof "in
18 accordance with".

19 (2) The proviso in the matter relating to general ex-
20 penses of the Bureau of Crop Estimates in the Act of March
21 4, 1917, chapter 179 (7 U.S.C. 411a), is amended by insert-
22 ing after "printed and distributed" the following: "in accord-
23 ance with title 44, United States Code,".

24 (3) The first sentence of the first section of the Act of
25 March 3, 1927, chapter 337 (7 U.S.C. 471), is amended by

1 inserting after "and publish" the following: "in accordance
2 with title 44, United States Code,".

3 (4) The first sentence of the first section of the Act of
4 January 14, 1929, chapter 69 (7 U.S.C. 501), is amended by
5 inserting after "and publish" the following: ", in accordance
6 with title 44, United States Code,".

7 (5) The first sentence of the first section of the Act of
8 June 24, 1936, chapter 745 (7 U.S.C. 951), is amended by
9 inserting after "and publish" the following: ", in accordance
10 with title 44, United States Code,".

11 (6) The Act of August 15, 1935, chapter 548 (7 U.S.C.
12 2248), is amended by inserting after "and publish," the fol-
13 lowing: "in accordance with title 44, United States Code,".

14 (d)(1) The first sentence of the second undesignated
15 paragraph of section 2 of the Federal Power Act (16 U.S.C.
16 793) is amended by inserting after "and binding" the follow-
17 ing: "in accordance with title 44, United States Code".

18 (2) Section 14(2)(e) of the Whaling Convention Act of
19 1949 (16 U.S.C. 916l(2)(e)) is amended by striking out
20 "without regard to section 501 of title 44, and" and inserting
21 in lieu thereof "in accordance with title 44, United States
22 Code, and without regard to".

23 (3) Section 12(c) of the Tuna Conventions Act of 1950
24 (16 U.S.C. 961(c)) is amended by striking out "without
25 regard to section 501 of title 44, or" and inserting in lieu

1 thereof "in accordance with title 44, United States Code, and
2 without regard to".

3 (e) The second sentence of section 7(c) of the National
4 Foundation on the Arts and the Humanities Act of 1965 (20
5 U.S.C. 956(c)) is amended by striking out "may be support-
6 ed" and all that follows through "such section 501" and in-
7 serting in lieu thereof "shall be supported in accordance with
8 title 44, United States Code".

9 (f) Section 2 of the Act of February 28, 1947, chapter 8
10 (21 U.S.C. 114c), is amended by striking out "without
11 regard to section 501 of" and inserting in lieu thereof "in
12 accordance with".

13 (g)(1) Section 2(b)(1) of the joint resolution of June 30,
14 1948, chapter 756 (22 U.S.C. 272a(b)(1)), is amended by
15 striking out "without regard to section 501 of title 44, and"
16 and inserting in lieu thereof "in accordance with title 44,
17 United States Code, and without regard to".

18 (2) Section 3(b) of the joint resolution of January 28,
19 1948, chapter 38 (22 U.S.C. 280b(b)), is amended by striking
20 out "without regard to section 501 of title 44, and" and in-
21 serting in lieu thereof "in accordance with title 44, United
22 States Code, and without regard to".

23 (3) Section 2(b) of the joint resolution of March 4, 1948,
24 chapter 97 (22 U.S.C. 280i(b)), is amended by striking out
25 "without regard to section 501 of title 44, and" and inserting

1 in lieu thereof "in accordance with title 44, United States
2 Code, and without regard to".

3 (4) Section 2(b) of the joint resolution of June 28, 1948,
4 chapter 686 (22 U.S.C. 280k(b)), is amended by striking out
5 "without regard to section 501 of title 44, and" and inserting
6 in lieu thereof "in accordance with title 44, United States
7 Code, and without regard to".

8 (h) Section 8021 of the Internal Revenue Code of 1954
9 (26 U.S.C. 8021) is amended by striking out subsection (c)
10 and redesignating the following subsection accordingly.

11 (i) Section 204(d)(3) of the National Sea Grant Program
12 Act (33 U.S.C. 1123(d)(3)) is amended by striking out "with-
13 out regard to section 501 of" and inserting in lieu thereof "in
14 accordance with".

15 (j) Subdivision (5) of the first undesignated paragraph of
16 section 12 of the Act of March 4, 1923, chapter 283 (36
17 U.S.C. 138b), is amended by inserting after "to procure" the
18 following: ", in accordance with title 44, United States
19 Code,".

20 (k) Section 405 of title 39, United States Code, is
21 amended—

22 (1) in subsection (a), by adding at the end of such
23 subsection the following new sentence: "Such printing
24 and sale shall be in accordance with title 44."; and

1 (2) in subsection (b), by striking out "the provi-
2 sions of section 505" and inserting in lieu thereof "sec-
3 tion 302(7)".

4 (l)(1) Section 1817(b) of the Social Security Act (42
5 U.S.C. 1395i(b)) is amended by striking out the last sentence
6 thereof.

7 (2) Section 1841(b) of the Social Security Act (42
8 U.S.C. 1395t(b)) is amended by striking out the last sentence
9 thereof.

10 (3) Section 11(g) of the National Science Foundation
11 Act of 1950 (42 U.S.C. 1870(g)) is amended by striking out
12 "without regard to the provisions of section 501 of" and in-
13 serting in lieu thereof "in accordance with".

14 (m) Section 4(m) of the Communications Act of 1934
15 (47 U.S.C. 154(m)) is amended by inserting after "publica-
16 tion" the following: ", in accordance with title 44, United
17 States Code,".

18 (n)(1) Section 10(b)(6) of the Military Selective Service
19 Act (50 U.S.C. App. 460(b)(6)) is amended by striking out
20 "from public" and all that follows through "1895, as amend-
21 ed" and inserting in lieu thereof "in accordance with title 44,
22 United States Code,".

23 (2) Section 401(f) of the Federal Civil Defense Act of
24 1950 (50 U.S.C. App. 2253(f)) is amended by striking out
25 "from public" and all that follows through "1895, as amend-

1 ed" and inserting in lieu thereof "in accordance with title 44,
2 United States Code".

3 SAVINGS PROVISIONS

4 SEC. 10. (a) Any regulation, rule, order, or determina-
5 tion respecting the Government Printing Office which is in
6 effect at the time the amendment made by section 2 of this
7 Act takes effect shall continue in effect until modified, termi-
8 nated, amended, superseded, set aside, or revoked in accord-
9 ance with law.

10 (b) No suit, action, or other proceeding commenced by
11 or against any officer or employee in his capacity as an offi-
12 cer or employee of any department, agency, or other entity of
13 the Government of the United States, functions of which are
14 transferred by this Act shall abate by reason of the enact-
15 ment of this Act. No cause of action by or against any de-
16 partment, agency, or other entity of the Government of the
17 United States, functions of which are transferred by this Act,
18 or by or against any officer thereof in his official capacity
19 shall abate by reason of the enactment of this Act.

20 EFFECTIVE DATES

21 SEC. 11. This Act shall take effect on January 1, 1981,
22 except that at any time after the date of the enactment of this
23 Act—

24 (1) any of the officers provided for in the amend-
25 ment to title 44, United States Code, made by section

1 2 of this Act may be nominated and appointed as pro-
2 vided in such title; and
3 (2) the comprehensive regulations provided for in
4 section 307 of this Act may be prescribed.

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